

UNITED STATES DISTRICT COURT

for the

Eastern District of Pennsylvania

United States of America

v.

ALBERTI ARACENA-SANCHEZ
a/k/a PEDRO SANCHEZ-TILA
a/k/a/ RICARDO ENRIQUE

Case No.

20- 364 -M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 5, 2020 in the county of Philadelphia in the
Eastern District of Pennsylvania, the defendant(s) violated:

Code Section

Offense Description

8 U.S.C. Section 1326(a), (b)(2)

re-entering the United States after deportation after previously having been
convicted of an aggravated felony

This criminal complaint is based on these facts:

See attached Affidavit

☒ Continued on the attached sheet.

Complainant's signature

Gregory O'Neill, Deportation Officer, ICE

Printed name and title

Sworn to before me and signed in my presence.

Date: MARCH 11 5, 2020

City and state: Philadelphia, PA

Judge's signature

DAVID R. STRAWBRINGER

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND WARRANT

I, Gregory O'Neill, Deportation Officer of the United States Immigration and Customs Enforcement, being first duly sworn, depose and state as follows:

Introduction and Agent Background

1. I am employed as a Deportation Officer of the United States Immigration and Customs Enforcement ("ICE"), assigned to the Philadelphia Field Office. I have held this role since August 2008. In the Philadelphia Field Office, I am currently assigned to ICE Enforcement and Removal Operations ("ERO"). I am also assigned as a Task Force Officer to the Federal Bureau of Investigations ("FBI") Violent Gang Task Force. As part of my duties as a Deportation Officer, I conduct investigations related to violations of the Immigration and Nationality Act, including immigration-related offenses outlined in Title 8 of the United States Code. More specifically, I investigate foreign-born nationals who were deported from the United States and subsequently re-entered the United States illegally.

2. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.

3. I make this affidavit in support of an application for an arrest warrant of Alberti ARACENA-SANCHEZ, a/k/a Pedro SANCHEZ-TILA, a/k/a Ricardo ENRIQUE.

4. I submit this affidavit seeking the issuance of an arrest warrant for, and a criminal complaint charging, Alberti ARACENA-SANCHEZ, a/k/a Pedro SANCHEZ-TILA, a/k/a Ricardo ENRIQUE, an alien, previously convicted of an aggravated felony, with re-entering the United States after deportation, in violation of Title 8, United States Code, Section 1326(a), (b)(2).

5. The facts in this Affidavit are based in part on my investigation of this matter and on information provided by other law enforcement officers. Because this affidavit is being

submitted for the limited purpose of securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

Probable Cause

6. On February 11, 2020, members of the Philadelphia Police Department (“PPD”) and other state and federal law enforcement agencies contacted me about ARACENA-SANCHEZ, known to them as “Gringo,” the subject of an ongoing narcotics investigation in Philadelphia, Pennsylvania.

7. On February 14, 2020, I reviewed the Alien Files (or “A-files”) pertaining to ARACENA-SANCHEZ. There are two separate A-files for ARACENA-SANCHEZ, with associated alien numbers of: (1) A75 001 716; and (2) A78 763 952.¹ I reviewed the documents in ARACENA-SANCHEZ’s A-files, including photographs, fingerprints, and Warrants of Deportation (the I-205 form) completed at the time ARACENA-SANCHEZ was previously removed from the United States.

8. Based on my review of these documents, I have learned that ARACENA-SANCHEZ is a native and citizen of the Dominican Republic who entered the United States illegally in San Juan, Puerto Rico sometime in January 1996. There is no evidence that ARACENA-SANCHEZ is a citizen of the United States. ARACENA-SANCHEZ was first formally removed from the United States to the Dominican Republic on February 25, 2004 after years of committing controlled substance-related offenses in Philadelphia. Thereafter,

¹ Based on my review of the A-files, it seems that two alien numbers were inadvertently generated for ARACENA-SANCHEZ.

ARACENA-SANCHEZ re-entered the United States and was removed back to the Dominican Republic two more times: on February 7, 2012, and on March 4, 2014.

9. After his first illegal entry into the United States, on June 25, 1998, officers of the PPD arrested ARACENA-SANCHEZ, for various controlled substance-related offenses. In connection with this arrest, he was uniquely assigned FBI#: 864090FB2 and Pennsylvania State ID # PA25218108. On this arrest, ARACENA-SANCHEZ was ultimately convicted of knowingly or intentionally possessing a controlled substance in violation of Title 35, Pennsylvania Code § 780-113 §§ A16 and sentenced to 12 months' probation.

10. On July 30, 1998, ARACENA-SANCHEZ, using the alias, Ricardo ENRIQUE, was arrested for various controlled substance-related offenses. The case was not resolved until January 3, 2002, when he was convicted in the Philadelphia Court of Common Pleas of manufacturing, or possessing with the intent to manufacture or deliver a controlled substance, in violation of Title 35, Pennsylvania Code § 780-113 §§ A30 and sentenced to a period of nine to 18 months' incarceration.

11. On October 1, 1998, ARACENA-SANCHEZ, using the alias, Ricardo ENRIQUE, was once again arrested for various controlled substance-related offenses. On March 9, 2001, ARACENA-SANCHEZ was convicted in the Philadelphia Court of Common Pleas of manufacturing, or possessing with the intent to manufacture or deliver a controlled substance, in violation of Title 35, Pennsylvania Code § 780-113 §§ A30 and sentenced to a period of three to six years' incarceration.

12. On February 11, 2004, United States Immigration Judge Grace A. Sease in York, Pennsylvania ordered ARACENA-SANCHEZ removed from the United States, and on February

25, 2004, ARACENA-SANCHEZ was formally removed from the United States from Alexandria, Louisiana to the Dominican Republic.

13. At some point thereafter, ARACENA-SANCHEZ illegally re-entered the United States again and was encountered on approximately December 15, 2006 in the District of Puerto Rico. On January 11, 2007, ARACENA-SANCHEZ was indicted for illegally re-entering the United States after deportation subsequent to a conviction of an aggravated felony, in violation of Title 8, United States Code, § 1326(a), (b)(2), in the District of Puerto Rico, 07-cr-00011. On June 26, 2007, ARACENA-SANCHEZ pleaded guilty to this offense and was sentenced by Judge Aida M. Delgado-Colon to 70 months' imprisonment followed by three years of supervised release.

14. After he served his period of federal incarceration, on February 7, 2012 ARACENA-SANCHEZ was removed from the United States from Alexandria, Louisiana to the Dominican Republic.

15. On January 30, 2014, ARACENA-SANCHEZ was arrested by the United States Border Patrol while he was attempting to illegally enter the United States in Falfurrias, Texas. On March 4, 2014, ARACENA-SANCHEZ was formally removed from the United States for a third time from Alexandria, Louisiana to the Dominican Republic.

16. On March 4, 2020, PPD officers arrested ARACENA-SANCHEZ for various controlled substance-related offenses. Those charges are pending while ARACENA-SANCHEZ is detained, under alias Ricardo ENRIQUE in local custody (Philadelphia Photo # 0851605).

17. I believe that the individual using the alias Ricardo ENRIQUE who is currently incarcerated on the March 4, 2020 arrest in Philadelphia is ARACENA-SANCHEZ. First, I, along with other law enforcement officers, compared past arrest photos of ARACENA-SANCHEZ with the individual using the alias Ricardo ENRIQUE who has been observed during an ongoing

narcotics investigation in Philadelphia. It is my opinion, which is shared by other law enforcement officers, that they are the same person. Second, I compared the photographs in the A-files of ARACENA-SANCHEZ with the individual using the alias Ricardo ENRIQUE and also believe that they are the same person. Third, at the time of ARACENA-SANCHEZ's arrest, he was carrying a Passport and identification card issued by the Dominican Republic to Alberti ARACENA-SANCHEZ. Fourth, and finally, a confidential human source who has provided information on numerous individuals who have illegally re-entered the United States after deportation for the past five years, informed me that he/she has direct knowledge that ARACENA-SANCHEZ is currently living in Philadelphia.

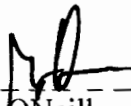
18. I conducted a search of the Department of Homeland Security's databases and found no evidence that ARACENA-SANCHEZ has sought or was granted permission from the United States Attorney General, or his successor, the Secretary of the Department of Homeland Security, to re-enter the United States as required by 8 U.S.C. 1360(d).

Conclusion

19. Based upon all of these facts, your affiant believes there is probable cause that Alberti ARACENA-SANCHEZ, a/k/a Pedro SANCHEZ-TILA, a/k/a Ricardo ENRIQUE, is an alien, previously convicted of an aggravated felony, who was deported from the United States and who subsequently re-entered the United States without first having obtained the express consent of the United States Attorney General or Secretary of the Department of Homeland Security in violation of Title 8, United States Code, Section 1326(a), (b)(2). Therefore, I respectfully request

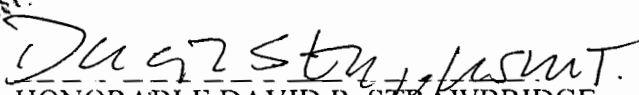
that the attached arrest warrant be issued.

Respectfully, submitted



Gregory O'Neill
Deportation Officer
Immigration and Customs Enforcement

Sworn and subscribed
before me this 5th day of March, 2020.



HONORABLE DAVID R. STRAWBRIDGE
United States Magistrate Judge

